

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STERLING SAVINGS BANK,

No. C 13-2499 RS

Plaintiff,

v.

THE VESSEL IMAGINE, et al.,

**ORDER ADOPTING REPORT AND
RECOMMENDATION RE (1)
ISSUANCE OF WARRANT FOR
ARREST OF VESSEL AND (2) ORDER
FOR APPOINTMENT OF
SUBSTITUTE CUSDTODIAN**

Defendants.

The United States Magistrate Judge to whom this action was initially assigned issued a report and recommendation that plaintiff's motions requesting the issuance of a warrant for the arrest of the vessel Imagine and the appointment of a substitute custodian be granted. *See* Dkt. 7. Specifically, in the Report dated June 12, 2013, the Judge: (1) determined the conditions for an *in rem* action appear to exist and a warrant for the arrest of the vessel should issue pursuant to Supplemental Rule C of the Federal Rules of Civil Procedure and, (2) recommended Nielsen Beaumont be appointed substitute custodian of the vessel under Admiralty and Maritime Local Rule 9-1(a) and be prohibited from moving the vessel from this district during the pendency of this lawsuit.

No party has filed objections to the Report and Recommendation. Having considered the report and recommendation, it is therefore adopted and incorporated in full. A warrant for the arrest of the vessel Imagine, Hull ID 1YD70139A910, at 2010 Destination 70' Yacht, Official Number

1 1222594, a custom houseboat located at Cruiser Haven Marina in Discovery Bay, California, shall
2 issue. Niilsen Beaumont shall be appointed a substitute custodian in lieu of the U.S. Marshal, to
3 provide security, monitoring, and routine safekeeping services for the vessel. Nielson Beaumont
4 shall not remove the vessel from this district during the pendency of this lawsuit.

5 IT IS SO ORDERED.

6
7 Dated: 6/27/13



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE